

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN MCCROREY,
Plaintiff,

v.

CITY OF PHILADELPHIA,
Defendant.

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CIVIL ACTION

No. 22-02227

ORDER

AND NOW, this 26th day of July 2023, upon consideration of Defendant, City of Philadelphia's Motion for Summary Judgment (ECF No. 25), Plaintiff's Response in Opposition (ECF No. 30), and Defendant's Reply thereto (ECF No. 34), it is **hereby ORDERED** that for the reasons set forth in the accompanying Memorandum, Defendant's Motion for Summary Judgment (ECF No. 25) is **GRANTED**. Judgment is therefore entered in favor of Defendant on all counts. Accordingly, it is **FURTHER ORDERED** that Defendant's Motion in Limine (ECF No. 40) is **DENIED as moot**.

Additionally, it is **FURTHER ORDERED** that the accompanying Memorandum **shall remain under seal for seven days**. Any party seeking to preclude public access to the accompanying Memorandum shall **show particularized good cause**¹ in a memorandum not exceeding five pages to be filed no later than **12:00 p.m. on August 2, 2023** as to why the Court

¹ See *Avandia Mktg., Sales Pracs. & Prod. Liab. Litig.*, 924 F.3d 662 (3d Cir. 2019) (explaining that a party seeking to overcome the presumption of access to a judicial document bears the burden of showing "that the interest in secrecy outweighs the presumption" and that "the material is the kind of information that courts will protect and that disclosure will work a clearly defined and serious injury to the party seeking closure"); see also *In re: Application of Storag Etzel GmbH for an Order, Pursuant to 28 U.S.C. § 1782, to Obtain Discovery for Use in a Foreign Proceeding*, No. 19-mc-209-CFC, 2020 WL 2949742 (D. Del. Mar. 25, 2020).

should preclude public access as to **each line** sought to be precluded from public access and shall email the underlying Memorandum with the proposed redactions to Chambers contemporaneous with filing the show cause memorandum.

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE